

July 14, 2020

Statement of Justification

Stafford County Department of Planning & Zoning
1300 Courthouse Road
P.O. Box 339
Stafford, VA 22555-0339

Applicant: Cellco Partnership d/b/a Verizon Wireless
Site Name: Verizon Wireless-Ramoth
Property Address: 1151 Mountain View Road, VA 22406
Zoning District: A-1
Parcel ID: 37 48A
Property Owner: Stafford American Legion Post 290 IN.

Cellco Partnership d/b/a Verizon Wireless, in accordance with Section 28-185 and Article III (Uses and Standards) of the Stafford County Zoning Ordinance, is requesting Conditional Use Permit (CUP) approval for the construction and operation of a wireless telecommunications facility located within zoning district A-1. The CUP request is for a project that involves removing and installing (6) proposed antennas and (6) proposed radio heads and associated cabling on a proposed 128' monopole.

I. Exhibits Attached:

Exhibit A: Engineered Drawings including Site Plan.
Exhibit B: Aerial Photograph of Property.
Exhibit C: Photo Simulations.

II. Introduction:

Verizon Wireless Radio Frequency Engineers identified a need for emergency and non-emergency wireless services in several areas of Stafford County, including the area surrounding the subject property. The Central Stafford site was selected by Verizon Wireless to provide and improve wireless coverage in Stafford County/ Ramoth area. Verizon Wireless confirmed that there were no viable structures within the surrounding areas that would fill the coverage gap that exists between the two existing neighboring sites. Verizon Wireless then conducted detailed radio frequency and other analyses. The telecommunications facility is illustrated in the Engineered Drawings that are attached and incorporated as **Exhibit A**. The proposed site, Ramoth, will fill this gap and provide coverage to an area that is lacking in service.

Verizon Wireless request approval to proceed with the permitting of this project. The proposed Telecommunications Facility is permitted as a Conditional Use Permit subject to the conditions set forth in that section and as indicated below. Please find below a detailed

statement of justification and code compliance which is further supported exhibit documents attached.

III General CUP Standards – Section 28-185

The proposed use will not be detrimental to the character and development of the adjacent land and will be in harmony with the purpose and intent of this chapter. The following statements of justification are provided to support the proposed Communication facility CUP.

- (1) The use shall not tend to change the character and established pattern of development in the vicinity of the proposed use;

Applicant Response: The proposed site will be on a parcel housing three baseball fields. The property owner is Stafford American Legion Post 290. The facility will be unmanned, being visited approximately four (4) times per year, or fewer, by cell site technicians driving a small SUV or pickup truck style vehicle.

- (2) The use shall be in harmony with the uses permitted by right under a zoning permit in the land use district and shall not adversely affect the use of adjacent properties;

Applicant Response: The property is located within the A-1 (Agricultural) zoning district and consists of 28.43 acres and is in the Ramoth area of Stafford County, Maryland. An aerial photograph of the property is attached and incorporated as Exhibit B. The telecommunications facility will not adversely affect the use or enjoyment of adjacent properties or those with the general area furthermore, it will improve wireless telecommunication services to residents in the area.

- (3) The location and height of buildings, the location, nature and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;

Applicant Response: The proposed telecommunication facility will be sited near the existing baseball fields on the subject parcel and will be surrounded by existing light poles on site. The site will not be visible from most of the surrounding area as it will be shielded by existing trees. The facilities ground equipment compound will be enclosed by chain link fence. The use will be in general harmony with the surrounding area and will not affect the use or future development of the property or neighboring residential properties. Photo simulations are attached and incorporated as Exhibit C to illustrate how the proposed installation would appear after construction is complete.

- (4) The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use.

Applicant Response: The use will comply with all FCC and FAA requirements and will provide wireless telecommunication services which will enhance the public health, safety and general welfare by providing effective communication services to an area underserved by wireless coverage. The use will improve services useful for emergency communication providing communication infrastructure for fire, police, rescue and other emergency management communication services.

- (5) The use shall not be detrimental to the public welfare or injurious to property or improvements in the neighborhood;

Applicant Response: The use will not be detrimental to the public welfare nor injurious to any properties or improvements. Minimal land disturbance will be required for the facility and the use will not generate noise, fumes, odors, dust, or glare.

- (6)) The use shall be in accord with the purposes and intent of this chapter and the Comprehensive Plan as below in this Statement of Justification.

Applicant Response: The use meets the general standards for conditional permit uses and is in accord with the Comprehensive Plans as below in this Statement of Justification.

Impact Statement

Traffic Volumes and Capacities: The use will generate four 4 visits per year, or fewer for routine inspections, repair and maintenance and will not have a negative impact on local streets, roads and highways. Large equipment vehicles are not typically needed after construction of the telecommunications facility is complete.

Public Water and Sewer Capacities: The use is unmanned and will not require water or sewer connections and will have no impact on such utilities.

Noise, Dust and Smoke Emissions: The use will not produce any noise, dust, emissions or odors.

Compliance with the Stafford County Comprehensive Plan

The proposed use meets the requirements of the Stafford County Telecommunications Plan dated June 2011 and the criteria and standards set forth within as follows:

Countywide Siting Criteria: The joint Planning Commission and Telecommunication Commission Committee have set the following priorities for the establishment of new telecommunications facilities as follows:

1. Co-Location on existing building or structures.
2. Locate on publicly owned lands that are occupied or planned for public building or parks.
3. Locate in overhead power line corridors.
4. Industrial zoned property.
5. Agriculturally zoned property.

Applicant Response: Verizon Wireless facility will be located on Agriculturally zoned property.

Additional details on siting criteria as follow:

1. In November of 2009, the Federal Communications Commission (FCC) voted unanimously to approve new rules for tower siting that will speed up the application process time limits for new and existing telecommunications facilities. The FCC is giving states and localities a so-called “shot clock” for tower siting applications. The new rules give state and local jurisdictions a deadline of 90 days to process collocation applications and 150 days for new telecommunications facility applications. However, when applications are incomplete as filed, the timeframes do not include the time that applicants take to respond to State and local governments’ request for additional information. However, this automatic tolling (the start of the “shot clock”) applies only if the local jurisdiction notifies the applicant within the first 30 days that its application is incomplete. The FCC allows the “shot clock” deadlines to be extended by 90 or 150 days by mutual consent. Note that the “clock” begins at the time between when the application is submitted to the local government and the time it takes the local government to notify the applicant that their application is incomplete. The clock stops once all the information requested is submitted.

Applicant Response: The applicant acknowledges the stated FCC provisions.

2. Priority is to be given to co-location of facilities on water towers, within major utility transmission lines, and other existing suitable tall structures.

Applicant Response: The applicant acknowledges the stated prioritization of co-location on water towers, within major utility transmission lines, and other existing suitable tall structures.

3. New telecommunication facilities should be located an appropriate distance from any existing telecommunication facility. Consideration should be given for a reduction in this distance following submission of objective information justifying such request.

Applicant Response: The proposed structure will not interfere with the existing facilities on site and is an appropriate distance from other existing telecommunications facility and will not interfere with such facilities. Verizon Wireless has provided propagation maps within the application package showing the relationship of the proposed site with other existing Verizon Wireless sites in the area.

4. Priority is to be given to new facilities proposed for large tracts of industrial or commercially zoned property.

Applicant Response: The structure will be located on a agriculturally zoned parcel, in an unobtrusive matter – the proposed monopole will be surrounded by existing light poles near the baseball fields. There are not any viable industrial or commercially zoned properties in the search area.

5. Facilities are not to be located in areas which will have an adverse visual impact upon County historical districts, properties listed in the National and State Register, and other sites deemed significant by Stafford County.

Applicant Response: The proposed telecommunications facility will not be located in an area that will have adverse impact on any historic districts or properties.

6. Facilities are not to be located near airports where they may interfere with aircraft operations.

Applicant response: Facility will not be located near airports where they may interfere with aircraft operations.

7. Facilities are not to be located in areas which will have an adverse impact upon gateways to the County.

Applicant response: The facility is not within nor will have an adverse impact upon a gateway into Stafford County.

8. Priority is to be given to facilities locating within the existing right of way/ easements established for overhead power lines.

Applicant Response: While the facility will not be located in a powerline right-of-way easement, and there are no existing right of way or easement sites located in the area that would work to provide coverage for the poor cell coverage around the complex and to the south for 1-3 miles

9. Priority is to be given to facilities locating within the Virginia Department of Transportation (VDOT) right-of-way, along Interstate 95 at interchange and overpass locations.

Applicant Response: The facility will not be located in VDOT right-of-way but will be located in close proximity to I-95.

10. Priority is to be given to locating facilities within railroad right-of-way adjacent to industrial or agricultural districts, away from residential concentrations.

Applicant Response: The facility will not be located in a railroad right-of-way but will be located in an agricultural district, away from residential concentrations.

11. For the purpose of in-fill or supplemental coverage, priority will be given to the replacement of existing structures at public locations, such as parks, schools, fires and rescue stations, commuter lots and similar locations.

Applicant Response: The proposed facility will not replace an existing structure, but will be located in a park.

12. Outside the Urban Services Area, priority is to be given to facilities proposed to be located interior to parcels, which are designed to minimize their effect upon adjacent properties.

Applicant Response: The facility will be located interior to the parcel.

13. Telecommunications facilities are not to be located near government or scientific facilities where they may interfere with the mission of such facilities.

Applicant Response: The proposed telecommunications facility will not interfere with the mission of government or scientific facilities. A statement of non-interference and FCC compliance signed by RF Engineer is included in the application package.

14. Telecommunications facilities are to be located so that they will not interfere with the operations of health care facilities.

Applicant Response: The proposed telecommunications facility will not interfere with the operations of any health care facility.

15. Location of facilities at or near residential development will be discouraged.

Applicant Response: As previously mentioned, the structure will be located on a agriculturally zoned parcel.

16. For the purpose of adding additional services at an existing location, carriers will be permitted to extend the length of an existing facility or remove it and replace it with a larger facility capable of handling the additional need.

Applicant Response: This facility is not an existing location.

17. Location of new towers should require public hearings for conformity to this plan.

Applicant Response: The applicant acknowledges the Stafford County public hearing requirements.

18. Telecommunications facilities or other tall structures are to be located so that they will not interfere in the transmission pathways of the County government's telecommunications network.

Applicant Response: The proposed structure will not interfere with the transmission pathways of the Stafford County's telecommunications network.

19. Telecommunications facilities should not be located in or near wetlands, other known bird concentration areas (Federal refuges, staging areas, or rookeries), in known migratory or daily movement flyways, or in habitat of threatened or endangered species.

Applicant Response: The proposed site is not near any floodplain and not near or within wetlands or known bird concentration areas.

20. Carriers are strongly encouraged to consider adding broadband access to any telecommunications facilities they are planning to establish in the County.

Applicant Response: Broadband access is provided by the proposed facility.

Facility Design Standards

1. Facilities should be designed to minimize visual impacts on the surrounding area, particularly near residential development. Technologies to screen the tower and stealthing techniques to make facilities blend with the surrounding development should be pursued. Consideration should be made with regard to existing tree lines, topography, buildings, and paint color of towers.

Applicant Response: The facility is being constructed in an existing park, and where there are existing light poles. Antennas will be painted to match the existing structure in order to mitigate visibility. The application packet includes photo simulations showing the appearance of the facility from vantage points in the area which can be used to assess visual impact. Facility is not visible from many of the views.

2. Within rural areas, telecommunications facilities should be located where sufficient tree cover is present to screen the base of the tower, except when located within utility and transportation rights-of-way.

Applicant Response: The facility is being constructed in a park with sufficient tree cover in the surrounding area.

3. Facilities should be constructed to accommodate a minimum of three providers, where height restrictions permit.

Applicant response: The pole will be able to accommodate three providers.

4. Antennas on structures are to be designed to be compatible with the principal structure's architectural design, color and scale.

Applicant Response: Antenna structures are designed to be compatible in color and layout with the structure.

5. Communication facilities should be constructed, sited and appropriately landscaped so as to visually blend into the surrounding areas.

Applicant Response: The facility will be constructed and sited in an unobtrusive matter, blending in with the existing telecommunications facility on site and painted to match. The equipment compound will be screened by an existing wooded area surrounding the parcel.

6. Security fencing is to be located at the base of any facility.

Applicant Response: The facility's equipment compound will be enclosed by an 7-foot-tall chain link fence.

7. The County should maintain the flexibility to decide on a case by case basis whether a lattice tower or monopole design is best suited for a particular site.

Applicant Response: The applicant acknowledges the county's flexibility to make this decision.

8. Setbacks from property lines in agricultural and residential districts should be equal to the height of the communications facility. Exceptions to the setback should be considered if proper screening is provided.

Applicant Response: The proposed 134.5' monopole will be located 227' from the parcel's edge.

9. Setbacks from adjoining dwellings should be at a minimum equal to the height of the tower.

Applicant Response: The proposed 130' monopole will be located 227' from the parcel's edge.

10. Communications facilities should generally be sited toward the interior of the property.

Applicant Response: The facility will be located interior to the parcel.

11. Infill sites should be designed to blend in with surrounding structures, such as a light standard, flagpole, within church steeple, on a roof top, or as a component of other suitable tall structures.

Applicant Response: This monopole will be surrounded by light poles at the existing baseballfields.

12. Facilities located within VDOT Right-of-Way should have a warning beacon regardless of its height.

Applicant Response: The structure is not located within VDOT right-of-way.

13. Telecommunications towers requiring lights for aviation safety should use the minimum amount of pilot warning and obstruction avoidance lighting required by the FAA. Unless otherwise required by the FAA, only white (preferable) or red strobe lights should be used at night, and these should be the minimum number, minimum intensity, and minimum number of flashes per minute allowable by the FAA. The use of solid red or pulsating red warning lights should be avoided. Where appropriate, shields should be installed to minimize visibility of the warning lights from the ground.

Applicant Response: The structure is not proposed to be lighted.

14. Construction of new tower facilities should include accommodation of space on the tower and ground lease area for county communication equipment if needed. Such accommodations shall be at no cost to the county to locate equipment on the tower or within an equipment compound.

Applicant Response: Required space is available on the tower and ground.